

KEVIN G. HORBATIUK (KG-4977)  
RUSSO, KEANE & TONER, LLP  
Attorneys for Defendant  
**CUNNINGHAM DUCT WORK s/h/i/a**  
**CUNNINGHAM DUCT CLEANING CO., INC.**  
26 Broadway - 28th Floor  
New York, New York 10004  
(212) 482-0001

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**IN RE COMBINED WORLD TRADE CENTER  
AND LOWER MANHATTAN DISASTER SITE  
LITIGATION**

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x  
**21 MC 102 (AKH)**

**BOGUSLAW KWASNIAK and MALGORZATA  
KWASNIAK,**

**DOCKET No.:  
07 CV 05300**

Plaintiffs,

-against-

**100 CHURCH, LLC, ALAN KASMAN DBA  
KASCO, AMBIENT GROUP, INC., ANN TAYLOR  
TAYLOR STORES CORPORATION, BATTERY  
PARK CITY AUTHORITY, BLACKMON-MOORING  
STEAMATIC CATASTOPHE, INC., d/b/a BMS  
CAT, BROOKFIELD FINANCIAL PROPERTIES,  
INC., BROOKFIELD FINANCIAL PROPERTIES,  
L.C., BROOKFIELD PARTNERS, L.P., BROOKFIELD  
PROPERTIES CORPORATION, BROOKFIELD  
PROPERTIES HOLDINGS, INC., CUNNINGHAM DUCT  
CLEANING CO., INC., ENVIROTECH CLEAN AIR, INC.,  
GENERAL RE SERVICES CORP.,  
GPS ENVIRONMENTAL CONSULTANTS, INC.,  
HILLMAN ENVIRONMENTAL GROUP, LLC HUDSON  
VIEW EAST CONDIMINIUM, HUDSON VIEW  
TOWER ASSOCIAETS, INDOOR AIR PROFESSIONALS,  
INC., INDOOR ENVIRONMENTAL TECHNOLOGY, INC.,  
KASKO RESTORATION SERVICES  
CO., LAW ENGINEERING, P.C., LIBERTY VIEW  
ASSOCIATES, L.P., MERILL LYNCH & CO., INC.,  
NATIONAL ASSOCIATION OF SECURITIES  
DEALERS, INC., NEW LIBERTY PLAZA, LP.,**

**NOTICE OF  
ADOPTION OF  
ANSWER TO  
MASTER COMPLAINT**

**NEW YORK CITY INDUSTRIAL DEVELOPMENT  
AGENCY, NEW YORK CITY INDUSTRIAL  
DEVELOPMENT CORPORATION, NOMURA  
HOLDING AMERICA, INC., NOMURA SECURITIES  
INTERNATIONAL, INC., ONE LIBERTY PLAZA,  
ONE WALL STREET HOLDINGS, LLC., R Y  
MANAGEMENT CO., INC., RELATED BPC  
ASSOCIATES, INC., RELATED MANAGMENT  
CO., LP., ROYAL AND SUNALLIANCE  
INSURANCE GROUP, PLC., RY MANAGMENT,  
ST. JOHN'S UNIVERSITY, STRUCTURE TONE (UK), INC.,  
STRUCTURE TONE GLOBAL SERVICES, INC.,  
THE BANK OF NEWYORK, INC., THE BOARD OF MANAGERS  
OF THE ONE LIBERTY PLAZA CONDOMINIUM (CONDO # 1178),  
THE LIBERTY PLAZA CONDOMINIUM (CONDON # 1178),  
THE RELATED COMPANIES, LP, THE RELATED  
REALTY GROUP, INC., TOSCORP, INC., TRC ENGINEERS, INC.,  
TUCKER ANTHONY, INC., WESTON SOLUTIONS,  
WFP ONE LIBERTY PLAZA CPO., LP., WFP ONE LIBERTY  
PLAZA CO., GP., CORP., WFP TOWER A CO., WFP TOWER A  
CO., G.P., CORP., WFP TOWER A CO., L.P., LP TOWER B CO.,  
L.P., WFP TOWER D CO., GP., CORP., WFP TOWER  
D HOLDING CO. I. L.P., WFP TOWER D HOLDING CO. II  
L.P., WFP TOWER D HOLDING I G, et al.**

**Defendants.**

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**PLEASE TAKE NOTICE,** that defendant CUNNINGHAM DUCT WORK s/h/i/a CUNNINGHAM DUCT CLEANING CO., INC. ("CUNNINGHAM"), by its attorneys, RUSSO, KEANE & TONER, LLP, as and for its Response to the allegations set forth in the Complaint by Adoption (Check-Off-Complaint) Related to the Master Complaint filed in the above referenced action, hereby adopt their Answer to Master Complaint dated, August 1, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102(AKH).

**WHEREFORE**, the defendant, CUNNINGHAM demands judgment dismissing the above captioned caption action as against it, together with its costs and

disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York  
January 10, 2008

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Kevin G. Horbatiuk (KGH4977)  
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**CO., INC.**  
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RKT File No. 824.078

TO: CHRISTOPHER R. LaPOLA, ESQ.,  
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**CERTIFICATION OF SERVICE**

I hereby certify that a copy of the above and foregoing has been served upon the following listed person by placing a copy of the same in the United States mail, postage prepared and properly addressed, this the 10th day of January, 2008.

CHRISTOPHER R. LaPOLA, ESQ.,  
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*Kevin G Horbatiuk*  
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KEVIN G. HORBATIUK